

PATENT**IN THE SPECIFICATION**

Please amend the paragraphs of the specification as follows:

Please replace Paragraph [1051] with the following amended paragraph:

[1051] According to a second example embodiment, the metrics used for prioritizing permissible formats may be based, at least in part, on the occurrence of permissible formats successfully decoded in other frames corresponding to a single block of data. Referring to the example shown in FIG. 4, a multi-frame ~~[[bock]]~~ block of data encoded using format B is sent via transmission sub-channel 1 during time intervals 1 through 4. Assume that upon receiving the fourth frame in the block (time interval 4), receiver 104 decodes the format indication as C rather than B due to a noisy communication link 110. According to this example embodiment, the metrics at least partially reflect the fact that three previous frames in the same data block were correctly decoded using format B for the data in sub-channel 1. The metric corresponding to format B is adjusted to reflect the high probability that the last frame in the data block was also encoded using format B.

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